

REMARKS/ARGUMENTS

The status of the claims is as set forth in the above listing of the claims. In the present Amendment, the Applicants have amended claims 9, 14, 27, 31, 56 and 68, and have canceled claim 22 without prejudice. No new matter has been added. Applicants respectfully request reconsideration and allowance of all pending claims in view of the foregoing amendments and the following remarks.

I. ALLOWABLE SUBJECT MATTER

The Examiner has indicated that claims 9-10, 14, 56-58 and 66-67 are allowable, and the Applicants acknowledge this finding.

II. REJECTIONS UNDER 35 U.S.C. §102

The Examiner has rejected claims 22, 27, 31 and 68 as allegedly anticipated by U.S. Patent No. 6,345,368 to Bergsten. In response, the Applicants have first canceled claim 22, without prejudice, which renders the rejection of this claim moot. In addition, the Applicants have amended independent claims 27, 31 and 68.

With regard to claim 27, the Applicants have amended this claim to recite, *inter alia*, that data received for storage is transmitted "using a plurality of data storage servers," and that one or more of the at least two data storage units in which a portion of the data is written are "coupled to corresponding ones of the plurality of data storage servers." In addition, claim 27 now requires that the first process module is located in "a first of the plurality of data storage servers, and that the first process module transmits the acknowledgments associated with each of the at least two data storage units based in part on "receiving an acknowledgment from a second process module in a second of the plurality of data storage servers coupled to the first of the plurality of data storage servers, and based on the writing of the data portion in a second of the at

least two data storage units." Such elements are recited in related allowed claim 9, and with regard to claim 9 have not been found in the cited prior art. Specifically, Bergsten does not teach or suggest the use of a plurality of data storage servers, where a first of the plurality is coupled to a second of the plurality, and in which a first process module in the first server sends an acknowledgement of the writing of data in first and second storage units based at least in part on the receiving of an acknowledgement from a second process module in the second server of the data being written in a second storage unit associated with the second server. Accordingly, claim 27 and its dependent claims are also allowable over Bergsten for at least these reasons.

With regard to claim 31, the Applicants have amended this claim to recite, *inter alia*, "writing a portion of the data in at least two data storage units coupled to data storage servers comprising a first group, while not writing the portion of data in at least two other data storage units coupled to other data storages servers comprising a second group," in combination with "transmitting an acknowledgment associated with each of the at least two data storage units of the first group upon the writing of the data portion in each of the at least two data storage units of the first group, and upon the non-writing of the portion of data in the at least two data storage units of the second group." Such elements are recited in related allowed claim 14, and with regard to claim 14 have not been found in the cited prior art. Specifically, Bergsten does not teach the grouping of associated data storage servers and storage units in first and second groups, where an acknowledgement associated with each of the storage units of the first group is sent upon the writing of data the storage units of the first group, and the non-writing of the data in data storage units of the second group. Accordingly, claim 31 and its dependent claims are also allowable over Bergsten for at least these reasons.

With regard to claim 68, the Applicants have amended this claim to require, *inter alia*, writing a portion of the data in at least two data storage units coupled to distinct ones of a

plurality of data storage servers. In addition, claim 68 now requires that the data storage information keys correspond to each of the at least two data storage units "and to the distinct ones of the plurality of data storage servers corresponding to the at least two data storage units, the storage information keys comprising storage server information identifying the distinct ones of the plurality of data storage servers corresponding to the at least two data storage units, and offset information corresponding to the location of the data portion in the at least two data storage units." Thus, the "retrieving the data portion from one or more of the at least two data storage units," requires "identifying the distinct ones of the plurality of data storage servers," as well as "locating the data portion in one or more of the at least two data storage units using at least one of the data storage information keys." Such elements are recited in related allowed claim 56, and with regard to claim 56 have not been found in the cited prior art. Specifically, Bergsten does not teach including storage server information in storage information keys that identifies which storage servers associated with the storage units where employed to store the data. Thus, Bergsten also does not disclose retrieving the stored data by first identifying the distinct storage servers employed based on this storage server information maintained in the information keys. Accordingly, claim 68 and its dependent claims are also allowable over Bergsten for at least these reasons.

For at least the above reasons, the cited Bergsten patent does not teach or suggest all of the elements of independent claim 27, 31 and 68, as herein amended. Therefore, Bergsten does not anticipate these independent claims, nor any claims depending from these claims. Accordingly, the Applicants respectfully request that the Examiner withdraw the rejections of these claims.

III. CONCLUSION

The Applicants respectfully submit that all pending claims are in condition for allowance,

AMENDMENT IN RESPONSE TO OFFICE ACTION

and request a Notice of Allowability for the pending claims. The Examiner is invited to contact the undersigned Attorney of Record if such would expedite the prosecution of the present application. The three-month response deadline is set to expire on October 10, 2008. As a result, no extension fee is believed due with this filing. However, if any fees are determined to be due, the Applicants hereby authorize the Director to charge the necessary amount to Deposit Account No. 13-0480, referencing the Attorney Docket Number specified herein.

Respectfully submitted,

Date: October 10, 2008

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